

Motion Denied as Moot

(see Order, doc #64)

s/ Jack Zouhary 4/9/07

U.S. District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

John Doe

PLAINTIFF

V.

SexSearch.com, et al

DEFENDANTS

Case No. 3:07-cv-604

Judge Jack Zouhary

MOTION TO STRIKE
DEFENDANTS' MEMORANDUM IN
OPPOSITION (Dkt. #82) and DEFENDANT
EXPERIENCED'S IDENTICAL
MEMORANDUM (Dkt. #83)
TO PLAINTIFF'S MOTION FOR
LEAVE TO ENGAGE IN LIMITED
DISCOVERY TO MONIKER INC.
PRIOR TO CIVIL RULE 26(f)
CONFERENCE

John Doe respectfully requests this court strike Defendants' (Stallion.com FSC Limited, DNR, Manic Media (aka Manic Media, Inc.), Fiesta Catering International Inc., Mr. Damian Cross, Mr. Ed Kunkel, and Ms. Camelia Francis') Memoranda, Dkt. # 82 and Dkt #83). Both memoranda make the identical argument. Both memoranda object to Plaintiff's motion that *was already granted* more than 14 days ago. (Dkt. #64). Defendants' filed the memoranda in violation of local rule 7.1(d) that states in pertinent part:

"[A] party opposing a motion must serve and file a memorandum in opposition within...fourteen (14) days after service of any non-dispositive motion." Plaintiff's motion for leave to engage in discovery prior to the Civil Rule 26(f) conference was filed March 16, 2007. (Dkt. #44). It was served on all Defendants both by operation of the court's electronic filing system on March 16, 2007. The motion was discussed by this court at the phone status conference on March 21, 2007 and granted that day. (Dkt. #64). Defendants filed their memoranda on April 5, 2007, 20 days following